

Indianapolis Star, IN, USA

Schools won't be able to teach sex ed without parent 'OK'

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Published 6:17 p.m. ET Jan. 30, 2018 | Updated 8:27 a.m. ET Jan. 31, 2018

Indiana parents may soon have to “opt in” for their children to be taught sex education.

The state Senate passed a bill Tuesday that would require schools to obtain written permission from parents or guardians before teaching students about human sexuality, including “sexual activity, sexual orientation or gender identity.”

Currently, the decision to alert parents to any kind of controversial content is a local one, said Adam Baker, spokesperson for the Indiana Department of Education.

“With that being said,” Baker noted, “by and large local corporations adopt a controversial issues policy and have parents sign off on it.”

Senate Bill 65, sponsored by Sen. Dennis Kruse, R-Auburn, would require an additional notification specific to any sexual education content and prohibit schools from providing that education unless a parent or guardian has given explicit consent.

“If anything needed an opt-in parental consent,” Kruse said, “it’s human sexuality study.”

Sex education is not explicitly required of Indiana schools and the state education department does not track how many schools offer it or what it entails from school to school. The state does have health and wellness education standards, but those standards are vague and do not specifically include sexual education.

Indiana code does require that, if schools offer sex education, it must teach abstinence “as the expected standard for all school age children” and teach that abstinence is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases and other associated health problems.

Law does not provide guidance on what other kinds of information may or may not be shared in sex education, which means it can vary greatly between schools. There is also no requirement to alert parents that such material will be taught, although officials with IDOE said most schools do in some fashion.

Proponents of the bill say parents aren't always getting enough information, though. During a committee hearing, testimony on the bill lasted several hours. Much of that was in support of the “opt in” provision.

"We've been informed, around the state, there's a lot of times where the schools don't tell the parents anything," said Eric Miller, socially-conservative activist and founder of pro-family group Advance America.

"Public schools are attempting to influence the child's attitude, behavior and actions involving sexual activity," Miller said, "and I believe that's inappropriate."

Sen. Karen Tallian, D-Portage, said no one has a firm grasp on exactly what, when and how sex education is being taught in Indiana schools. She sent out her own informal survey to more than 200 school districts. Of the 149 districts that responded, 131 have a regular curriculum for sex education according to Tallian's results.

Districts that didn't have a curriculum said it was due to a decision of the superintendent or school board, a lack of funds or policy reasons.

For most districts offering sex education, it's included as part of a larger, required course like health or biology.

About one-third of districts that responded to Tallian's survey and indicated they offer sex education do so through an outside provider, while the rest use existing staff.

Tallian sought to send the bill back to a study committee for a more complete picture of how Indiana is, or is not, teaching sex education to its kids. That amendment failed.

"In this modern day, I suggest to you it is only a handful of people who actually object to this," Tallian said. "This is standard practice, widely accepted and people shouldn't have to sign opt in forms."

Another amendment to soften the bill and make it an "opt out" provision, where students could receive sexual education unless they're parents prohibited it, also failed.

Democrats mounted an opposition to the bill on the Senate floor Wednesday, questioning the precedent it could set for other content that parents find offensive, sensitive or immoral.

When asked what information he was uncomfortable with children learning, Kruse said he didn't feel comfortable talking about it on the Senate floor.

"I think people pretty well know what's good, and what's proper, and what's moral and what's not moral," Kruse said.

The bill passed the Senate 37-12 and will head next to the House.

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